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Examiner J. Hines U.S. Patent and Trademark Office Art Unit 1645	(571) 272-0859	(571) 273-8300

From : Barry S. Wilson
Email Address : bwilson@foley.com
Sender's Direct Dial : 858.847.6722
Date : October 16, 2006
Client/Matter No : 071949-5914

MESSAGE:

U.S. Patent Application No. 10/759,216

Following is:

- 1) Amendment Transmittal (3 pgs.); and
- 2) Response to a Restriction Requirement and Amendment (7 pgs.).

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Atty. Dkt. No. 071949-5914

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KINGSMORE et al.
Title: BIOMARKERS FOR SEPSIS
Appl. No.: 10/759,216
Filing Date: 01/20/2004
Examiner: Hines, Jana A.
Art Unit: 1645

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. _____ Rachel Caputo (Printed Name) _____ (Signature) October 16, 2006 (Date of Deposit)
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AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous
assertion of Small Entity status.
- ☐ Assertion of Small Entity status is enclosed.

OCT 16 2006

Atty. Dkt. No. 071949-5914

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	35	-	95	=	0	x	\$50.00	=	\$0.00
Independent Claims:	1	-	10	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:		+					\$360.00	=	\$0.00
CLAIMS FEE TOTAL									= \$0.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
Extension Fees Previously Paid:		\$0.00
TOTAL FEE:		\$0.00

Atty. Dkt. No. 071949-5914

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date October 16, 2006By Barry S. Wilson

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NO. 6037 P. 5

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Atty. Dkt. No. 071949-5914

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Applicant: KINGSMORE et al.

Title: BIOMARKERS FOR SEPSIS

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Art Unit: 1645

<p>CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.</p> <p><u>Rachel Caputo</u> (Printed Name)</p> <p><u>[Signature]</u> (Signature)</p> <p><u>October 16, 2006</u> (Date of Deposit)</p>

RESPONSE TO A RESTRICTION REQUIREMENT AND AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to a Restriction Requirement mailed October 6, 2006.

Amendment of the Claims begin on page 2.

Remarks begin on page 6.

Please amend the application as follows: